

**COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION II**

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State of Washington,	)	
Plaintiff	)	
v.	)	<b>42638-2-II</b>
	)	
Michael Joseph Moyle,	)	<b>Additional Authorities</b>
Defendant	)	
	)	

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Appellant, Michael J. Moyle, submits the following additional authority pursuant to RAP 10.8 in support of his contention that the trial court erred by ruling on Moyle's suppression motion without a hearing:

Where neither party to a prior suppression hearing had the incentive to develop the factual record, the court should conduct a full suppression hearing. *State v. Winterstein*, \_\_\_ Wn. App. \_\_\_, \_\_\_ P.3d \_\_\_, Slip Op. 41519-4-II at 5, filed January 24, 2012, citing *State v. Robinson*, 171 Wn.2d 292, 306, 253 P.3d 84 (2011).

Respectfully submitted this January 26, 2012, 2011.

*Jordan B McCabe*

Jordan B. McCabe    WSBA No. 27211  
Counsel for Michael J. Moyle

**CERTIFICATE OF SERVICE**

Opposing counsel was served with this statement of additional authorities via the Division II upload portal: [bwendi@co.clallam.wa.us](mailto:bwendi@co.clallam.wa.us)

*Jordan B McCabe* January 26, 2012

Jordan B. McCabe    WSBA No. 27211

Additional Authorities

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# MCCABE LAW OFFICE

**January 26, 2012 - 4:14 PM**

## Transmittal Letter

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Case Name: State v. Moyle

Court of Appeals Case Number: 42638-2

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☒ Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

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